

**CITY OF COLUMBIA CITY COUNCIL
WORK SESSION MINUTES
APRIL 18, 2012 – 2:00 P.M.
CITY HALL - 1737 MAIN STREET**



The Columbia City Council met for a Work Session on Wednesday, April 18, 2012 at City Hall, 1737 Main Street, Columbia, South Carolina. The Honorable Stephen K. Benjamin called the meeting to order at 2:05 p.m. and the following members of City Council were present: The Honorable Belinda F. Gergel and The Honorable Leona K. Plough. The Honorable Sam Davis arrived at 2:06 p.m. The Honorable Tameika Isaac Devine arrived at 2:07 p.m. The Honorable Daniel J. Rickenmann arrived at 3:03 p.m. The Honorable Brian DeQuincey Newman was absent. Also present were Mr. Steven A. Gantt, City Manager and Ms. Erika D. Moore, City Clerk. This meeting was advertised in accordance with the Freedom of Information Act.

CITY COUNCIL DISCUSSION / ACTION

**Upon a motion made by Mayor Benjamin and seconded by Dr. Gergel, Council voted unanimously to allow Moe Baddourah, incoming Council member for District III to participate in all Council Meetings, excluding voting, to participate in all Executive Sessions, to receive a full Council Agenda Packet for each meeting, to receive an City email address, and to receive a parking decal for parking in the City Council reserved spaces at City Hall.

1. **Underground Utilities – Ms. Melisa Gentry, Assistant City Manager for Operations**

Ms. Melisa Gentry, Assistant City Manager for Operations presented an overview of underground utilities in residential areas. This topic has spurred out of the many conversations about tree trimming and the interest in protecting the health and aesthetics of our trees. The challenges associated with under grounding utilities involve not only power lines. In addition to under grounding the power lines, you have to look at the other utilities. Those costs are not a part of this presentation. Other underground infrastructure includes water, waste water, storm drain, gas, communication, trees and construction inconveniences. We are concerned that if we start under grounding utilities next to our large grand trees, we will do more damage to the health of those trees than the trimming does aesthetically. We asked SCE&G to perform cost analyses on two (2) sample residential areas. The first sample area is Hagood Avenue and Gladden Street from Kershaw Street to Canterbury Avenue. Seventy-three (73) properties would be impacted at a cost of \$2.5 million. The second sample area is Heyward Street and Enoree Street from Saluda Avenue to Pickens Street. Forty-four (44) properties would be impacted at a cost of \$1.5 million. There are some structures, such as power transformers that would remain above ground. We do have a non-standard service fund in our franchise agreement, which is how we funded our past street scaping costs. Those funds are expended for the next ten (10) years. There is no city funding that can be dedicated at this point. I reviewed the programs that are used in Charleston and Greenville and outlined the costs for each sample area using those models.

The following representatives from SCE&G were in attendance to answer any additional questions: Stephanie Jones, Public Relations; John Cadena, Manager, Community/Economic Development & Local Government & Project Development; and Dan Kassis, Senior Vice President for Customer Service.

Mr. Bob Amundson, Rosewood Community Resident inquired about technology on the horizon that can solve this problem and allow the City to start planning strategically for the future.

2. Website Update – Mr. S. Allison Baker, Senior Assistant City Manager

Mr. S. Allison Baker, Senior Assistant City Manager explained that they took directions from the City Council Retreat as it relates to improving communications across the city. A large part of that improved communications is the city's website. A team of employees from across the city have been working on a number of communication issues from our relationship with the media to our letterhead. A smaller group of employees focused specifically on the website. We heard three issues: ease of navigation, more attractive, more informative and a consistent look and message is needed across the city. Post No Bills was brought in to assist with graphic design and marketing. He asked City Council for their thoughts on the look and feel of the proposed site along with the expected functionality. Once we have a finished product, we will need authority to insist consistency across the city in our look and in what's presented. Mr. Baker provided an overview of the proposed website.

Ms. Doreen Sullivan, Owner of Post No Bills distributed print outs of the website. We are growing tremendously fast as a city and it is time to create the identity that you need as a city. Because your identity is flexible, other people are putting their objective on top of your city. As a result, the messaging is very hard to understand and the identity is fragmented. The objective we had was to make a claim for Columbia that is rightfully due. "We Are Columbia!" The city should drive its information to the residents, visitors and businesses. It should be able to support the region's message "Famously Hot" and the objectives of the region, but you need to drive your train, both visually and verbally.

Ms. Carol Smith, Creative Art Director for Post No Bills explained that they spent a lot of time researching over 50 cities across the United States. We took that information, pulled out the things that weren't necessarily important and from it we gleaned the items were felt were most important. As a resident of Columbia, I use the city's website and the information needs to be easy to navigate. She provided a preview of how to navigate the proposed website. There will be continuity in voice and aesthetics.

▪ **Mr. Rickenmann joined the meeting at 3:03 p.m.**

Ms. Doreen Sullivan, Owner of Post No Bills explained that copy and photography is critically important. Each page will have a template that mirrors the home page and provides the tools for brand continuity. It is critical that those tools are created so that your site remains pristine wherever you go.

Mr. S. Allison Baker, Senior Assistant City Manager said that the site will go live January 1, 2013.

The members of Council asked questions and requested copies of the proposed site for further review. Additional comments will be sent to Mr. Baker.

****Mr. Steven A. Gantt**, City Manager presented Teresa Wilson with her 5-year service pin.

3. Budget Follow-up and Special Project Recipients – Ms. Teresa Wilson, Assistant City Manager and Mr. Jim Gambrell, Director of Economic Development

Ms. Teresa Wilson, Assistant City Manager explained that they have worked through deliverables that are more in line with the city's overarching strategic plan. Ultimately, we'll continue to work on the goals and priorities as we identify them. We are at a fork in the road where we want to engage and embark upon a strategic plan for economic development. We will engage an economic development consultant with a local presence within the next 30 days. We have savings from the 2011 budget that will be used for this process. The Economic and Community Development Committee has discussed a self assessment analysis. We may accomplish the needs assessment through our strategic planning process. We will seek approval of the final plan by the end of the calendar year; begin to implement any staff changes that are necessary; and go through the budgetary process to continue implementation of the plan. By July 1, 2013, we will be well on our way to implementing the new strategic plan for economic development.

Mr. Jim Gambrell, Director of Economic Development said that they have tried to tie this in with the City's Strategic Plan and to make sure that the activities we and our partners undertake are not only in line with your goals for Columbia, but also to make sure that we avoid any duplication of efforts. We want to make sure that each of our partners are working in a contributing fashion, but not in a duplicating fashion so that we are not only getting the job done, but we are doing it as efficiently as possible.

Ms. Teresa Wilson, Assistant City Manager explained that a one-page summary has been provided for the following groups. We realigned where these groups are funded in the budget. If they are to be funded in these budgets for fiscal year 2012/2013, it is important that you have an opportunity to hear from them. Funding for these groups have been included in the budget, but it is contingent upon them presenting and making sure that you understand the deliverables that we feel are better tied to the mission of the Economic Development Department or the Office of Business Opportunities.

The following groups reported on their progress and accomplishments for the past nine (9) months:

- World Affairs Council – Mr. Fred Monk, Managing Director
- ECI/Find New Markets – Mr. Fred Monk and Ms. Mary Sparrow
- From Good to Great Foundation / BRAC – Mr. Lee Bussell
- River Alliance – Mr. Mike Dawson
- POSSCON- Mr. Lonnie Emard
- Midlands Business and Education Alliance (MEBA) – Dr. Kaye Shaw
- EngenuitySC / The Fuel Cell Collaborative – Mr. Neil McLean

These reports were received as information. No action was taken.

4. Habenicht Company, LLC - Disclosure of Elected Official's Prior Ownership Interest
– Mr. Paul Featheringill, Business Loan Officer

Mr. Paul Featheringill, Business Loan Officer explained that the purpose of this is to disclose that they have received an application for a façade loan from the Habenicht Company, which is a company that Mayor Benjamin was formerly a partner in. He is no longer a partner and we wanted to release that onto the record.

Mr. Ken E. Gaines, City Attorney stated that the underlying note on which Mayor Benjamin had a personal guarantee on has been refinanced.

Mr. Paul Featheringill, Business Loan Officer clarified that the loan has been paid off.

Councilor Plough said that we are funding the same building in two (2) different ways. She asked staff, for a later time, if there is an expectation that we would be providing two (2) levels of subsidy on buildings, in general.

Ms. Teresa Wilson, Assistant City Manager said that they would make a note to address that.

Mayor Benjamin stated for the record that it was ten (10) years ago.

Councilor Davis asked why this would be a double subsidy.

Councilor Plough said that it raises the idea of double subsidy. It's a policy issue for us as a Council to discuss whether that's appropriate or not. Do you want to spread your resources to multiple buildings or do you want to double subsidize?

5. Columbia Empowerment Zone, Inc. – Ms. Teresa Wilson, Assistant City Manager

Ms. Teresa Wilson, Assistant City Manager reiterated the request from the Columbia Empowerment Zone, Inc. to become a component unit of the City of Columbia. This is a continuation of the discussion held on April 10, 2012. The City has four (4) options in response to this request. Respond yes, hire an executive director and budget for service and operating expenses. Respond no, which would mean that the CEZ, Inc. would operate independently, or it would dissolve and we would request guidance from HUD on the dissolution and asset distribution. Respond yes and combine CEZ, Inc. into another component unit of the City. Or do nothing; however, I would be asking for flexibility and guidance to formally align the staff functions as they have been working.

Ms. Felicia Maloney, Business Executive for the Office of Business Opportunities presented information relating to the expenditure of empowerment zone funding since its inception in

1999 to September 17, 2010. She also presented a comparison of the City's Development Corporations and the monthly expenses, income and loan portfolio of the Columbia Empowerment Zone, Inc. A listing of CEZ, Inc. commercial real estate was provided along with the roles and responsibilities of individuals in the Office of Business Opportunities; the CEZ, Inc. Strategic Plan; and a memo outlining the need for the budget request.

Ms. Teresa Wilson, Assistant City Manager said that staff is immersed on a daily basis with the CEZ, Inc. The mission and vision of the CEZ, Inc. are in line with the city's overall mission and strategic plan as well as the daily functions of the Office of Business Opportunities. The budget request for \$160,000 is based on it being a component unit and the staffing component. We try to pay the operation and service expenses out of program income from the CEZ, Inc. rental properties and loans. Going forward, if this Council decided that it did not want to make that leap and make it a component unit, my recommendation is that we do nothing, but I am given flexibility to formally align the staff within the Office of Business Opportunities and not continue to have them working out of class from what their original job functions are. We would proceed in this fashion for one year and see how it goes. The CEZ, Inc. Board approved a supplement in the amount of \$5,250 to the Office of Business Opportunities for the remainder of this fiscal year and they want to continue that on a monthly basis going forward.

Judge Mildred Weathers McDuffie, Chair of the Columbia Empowerment Zone, Inc. stated that CEZ, Inc. is not a liability. I have been with the empowerment zone since its inception and I've seen a lot of good come out of it. After Councilors Davis and Devine came to our meeting, we realized that there was a separation. We should be a component of the city. We have talked with the City Manager and received an opinion from the City Attorney.

Mayor Benjamin suggested that Council act on this matter on May 8, 2012 or at least construct something that will allow us to continue to operate with some degree of supervision or activity.

6. Winter Shelter Request for Proposals – Mr. Steven A. Gantt, City Manager – *This item was deferred.*
7. Lockhart Power Contract – Mr. Steven A. Gantt, City Manager – *This item was deferred.*
8. Monthly Financial Report on all City Funds – *This item was deferred.*
9. Strong Mayor Referendum

Mr. Kenneth E. Gaines, City Attorney explained that Title 5 gives you the right to call for a strong mayor special election referendum by ordinance. After you pass the ordinance, the strong mayor election has to be held within 30- 90 days. There has been a request to put it on

the November Presidential Election ballot. In order to meet the deadline for the Department of Justice; meet the 90-days provided for in state law; and to get the appropriate publication in the newspapers under state law; we could go ahead and pass first reading of the ordinance anytime in the next few weeks and then we can have a special called meeting on August 8, 2012. That will give us time to meet all deadlines. All residential annexations would be effective after the November election in order to send those to the Justice Department for pre-clearance.

10. **Consolidation of Local Governments – *This item was deferred.*

11. **City’s General Election – *This item was deferred.*

Councilor Plough suggested that the City election date be changed at the same time that the form of government is considered.

Councilor Gergel said that the League of Women Voters have asked that Council consider moving the elections to November in odd-numbered years.

EXECUTIVE SESSION

12. Receipt of legal advice related to matter covered by the attorney-client privilege – *This item was deferred.*

13. Discussion of negotiations incident to proposed contractual arrangement – *This item was deferred.*

Upon a motion made by Ms. Plough and seconded by Mr. Rickenmann, Council voted unanimously to adjourn the Work Session at 5:47 p.m.

Respectfully submitted by:

Erika D. Moore
City Clerk



CITY OF COLUMBIA
CITY COUNCIL MEETING MINUTES
WEDNESDAY, APRIL 18, 2012
6:00 P.M.
HAMPTON PARK
1117 BRANDON AVENUE

The Columbia City Council conducted a District IV Evening Meeting on Wednesday, April 18, 2012 at Hampton Park located at 1117 Brandon Avenue, Columbia, South Carolina. The Honorable Stephen K. Benjamin called the meeting to order at 6:33 p.m. and the following members of Council were present: The Honorable Sam Davis, The Honorable Tameika Isaac Devine, The Honorable Daniel J. Rickenmann, and The Honorable Leona K. Plough. The Honorable Belinda F. Gergel arrived at 6:38 p.m. The Honorable Brian DeQuincey Newman was absent. Also present were Mr. Steven A. Gantt, City Manager and Ms. Erika D. Moore, City Clerk. This meeting was advertised in accordance with the Freedom of Information Act.

PLEDGE OF ALLEGIANCE

INVOCATION

Chaplain Billie Bright, Columbia Fire Department offered the Invocation.

ADOPTION OF THE AGENDA

Upon a motion made by Mr. Davis and seconded by Ms. Devine, Council voted unanimously to adopt the agenda with the following revisions:

- Defer consideration of **Items 23** and **25**.

PUBLIC INPUT RELATED TO AGENDA ITEMS

Mr. Bill Walkup, Resident of Crown Pointe Road appeared before the members of Council to express concerns about 25 dumpsters being emptied as early as 2:30 a.m. between the VA Hospital and Woodhill Mall areas.

An ordinance will be drafted to address concerns in commercial areas; research will be done on the policies of other municipalities; and the problem areas will be identified. A meeting will be held with private haulers on Friday, April 21, 2012 at 10:00 a.m.

APPROVAL OF MINUTES

1. Minutes of April 10, 2012 – *Approved as presented.*

Upon a motion made by Ms. Plough and seconded by Mr. Davis, Council voted unanimously to approve the Minutes of April 10, 2012.

PRESENTATIONS

2. Welcome Address – The Honorable Leona K. Plough, District IV Representative

Councilor Plough welcomed everyone to District Four. It is wonderful to be at Hampton Park, one of older facilities in the park system.

3. Welcome Address from the Brandon Acres/Cedar Terrace Neighborhood Association – Mr. Tige Watts, President of the Brandon Acres/Cedar Terrace Neighborhood Association and Neighborhoods USA (NUSA)

Mr. Tige Watts, President of the Brandon Acres/Cedar Terrace Neighborhood Association welcomed everyone to the neighborhood. With our extended boundaries, our neighborhood consists of nearly 400 families. We care very deeply and passionate about our neighborhood and we are strong because of the people that live here. He recognized the neighbors that were in attendance. He said that Hampton Park is at the center of the neighborhood. Mr. Watts recognized Ms. Dolores Salley, Hampton Park Manager for being a tremendous asset and resource to the neighborhood. On behalf of the neighborhood, he requested that the recreation building be expanded. The restrooms aren't in compliance with the American Disabilities Act. We need the walking path repaired and the tennis court resurfaced. There are other items, too.

Councilor Rickenmann asked Mr. Watts to submit a formal request.

Councilor Devine suggested that they participate in the Master Park Planning process.

4. Introduction of the South Carolina USA Youth Olympics Representative Brandon Sanders – The Honorable Leona K. Plough, District IV Representative

Councilor Plough recognized Brandon Sanders and his family members. Brandon is a senior at Dreher High School and a South Carolina USA Youth Olympics Representative. He ranked number one in the nation and number three in the world as a youth sprinter for the USA Olympics. He leads the nation in both the 100 meter and 200 meter. He has decided to attend the University of South Carolina.

Mayor Benjamin and the members of Council declared Wednesday, April 18, 2012 as Brandon Jamal Sanders Day in the City of Columbia.

Master Brandon Sanders thanked the members of Council. He said that he thought it was a joke when he first heard about this.

****Mayor Benjamin recognized Richland County Councilman Norman Jackson, Councilman-Elect Moe Baddourah and Representative Joseph Neal.**

CITY COUNCIL DISCUSSION / ACTION

5. Central Midlands Regional Transit Authority Proposed Service Reductions

Dr. Robert Schneider, Executive Director and General Manager of the Central Midlands Regional Transit Authority explained that any service changes must be reviewed and approved by Richland County and the City of Columbia. The biggest issue we are addressing is the \$2.5 million funding gap on an annual basis. The additional \$775,000 from Richland County and the \$618,000 from the City of Columbia allowed us to postpone prior proposed service reductions. In the interim, we were able to develop a service reduction that affects 15% of riders. The plan discontinues service on Sundays, Memorial Day, Independence Day and Labor Day. If approved, we can eliminate a \$3.6 million funding deficit for this year and next year.

Mr. Keith Seymour said that he is a proponent of the bus system. For years I have been saying that you have to start seeing it as an economic tool. They are worried about the bus system on North Main. Nobody knows what's going on. I don't think we've come a long way. We have come a little way. Those people riding on Sunday are going to work.

Upon a motion made by Dr. Gergel and seconded by Mr. Davis, Council voted unanimously to approve the Central Midlands Regional Transit Authority's proposed service reductions.

6. Council is asked to approve an Application for Certificate of Convenience and Necessity, as requested by the Business License Division. This certificate is being awarded to Chikezie R. Onwukanjo doing business as Available Taxi Company at 6 Raintree Court, Hopkins, SC. – *Consideration of this item was deferred.*

There was a consensus of Council to defer consideration of this application for certificate of convenience and necessity.

The Economic and Community Development Committee was asked to review the saturation of taxi cabs in the City of Columbia; establish a system that can be used to determine the need for additional service; and consider the use of a medallion system. The Business License Administrator was asked to inventory the existing permits for taxi cab companies and the locations; the number of calls for service for this year and last year; and how comparable cities determine the need for service.

CONSENT AGENDA

Upon a single motion made by Mr. Rickenmann and seconded by Mr. Davis, Council voted unanimously to approve the **Consent Agenda Items 7 through 21.**

CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

7. Council is asked to approve Capital Improvement Project SS7232; An Agreement for Engineering Services for Three (3) Pedestrian Bridges along the Sanitary Sewer Line Easement between Gervais Street and the West Columbia Wastewater Pump Station, as requested by Utilities and Engineering. Award to Chao & Associates, Inc., in the amount of \$74,100.00. This vendor is located in Columbia, SC. *Funding Source: Sewer Improvements Fund, 5529999-SS7232-658660 – **Note:** GS2 Engineering (Columbia, SC) will provide geotechnical services at 4.7% of the total contract. The original budgeted amount is \$74,100.00. - Approved*
8. Council is asked to approve the Purchase of Five (5) Chevrolet Colorado Extended Cab Trucks, as requested by Utilities and Engineering. Award to Love Chevrolet Company, using the SC State Contract in the amount of \$79,825.00. This vendor is located in Columbia, SC. *Funding Source: Utilities Water Dist & Maintenance-Auto Trucks Heavy Equipment Capital, 5516203-658500. - Approved*
9. Council is asked to approve Mentor Protégé Program and Local Business Preference Project SS710302; Sewer Extension to Serve 5406 Farrow Road, as requested by Utilities and Engineering. Award to Trussell Bros. Construction Company, Inc., the lowest, responsive and responsible bidder in the amount of \$86,330.30. This vendor is located in Columbia, SC. *Funding Source: Sanitary Sewer Improvement Fund, 5529999-658650/SS710302-658650 – **Note:** The original budgeted amount is \$89,890.00. - Approved*
10. Council is asked to approve Capital Improvement Project SS707301; Contract Amendment #2 to Agreement for Engineering Services Concerning the Repair and Rehabilitation of a 48 Inch and 54 Inch Gravity Sewer Line between the North and West Columbia Pump Stations, as requested by Utilities and Engineering. Award to URS Corporation in the amount of \$113,300.00. This vendor is located in Columbia, SC. *Funding Source: Sewer Improvements Fund, 5529999-SS707301-636600 – **Note:** DESA, Inc., (Columbia, SC) will serve as a sub consultant under this amendment and will provide Technical, Construction, Administration and Observation Work for \$29,160.00 or 26% of the total contract. The original budgeted amount is \$113,300.00. - Approved*

Mr. Joey Jaco, City Engineer explained that this change order is being requested by staff in order to add 2,800 linear feet of 48 inch gravity sewer line replacement and rehabilitation. The line was being bypassed during the project. It was empty and it was in bad shape. It made sense to add this to the project.

11. Council is asked to approve Mentor Protégé Program and Local Business Preference Project WM4209; Improvements along Willingham Drive for the construction of New Water Mains, connection to existing Water Mains and Fire Hydrants, as requested by Utilities and Engineering. Award to Trussell Bros. Construction, the lowest, responsive and responsible bidder in the amount of \$129,879.00. This vendor is located in Columbia, SC. *Funding Source: Special Contracts Maintenance, 5516210-638300 – **Note:** The original budgeted amount is \$166,570.00. - Approved*
12. Council is asked to approve Local Business Preference Project WM4247; Proposed Water Improvements along Atlas Road and Greenlawn Drive, as requested by Utilities and Engineering. Award to G.H. Smith Corporation, the lowest, responsive and responsible bidder in the amount of \$204,375.00. This vendor is located in West Columbia, SC. *Funding Source: Special Contracts Maintenance, 5516210-638300 – **Note:** The original budgeted amount is \$241,840.00. - Approved*
13. Council is asked to approve Capital Improvement Project SS6871; Change Order #1 for the Metro Wastewater Treatment Plant Final Clarifiers, as requested by Utilities and Engineering. Award to M.B. Kahn Construction Company, Inc., in the amount of \$288,196.50. This vendor is located in Columbia, SC. *Funding Source: Sewer Improvement Fund – **Note:** This change order was initiated by the city and it's necessary to compensate the contractor to perform additional work for clarifiers five (5) and six (6) to upgrade the SCADA system components for all new clarifier equipment. This change order also extends the contract completion date until August 12, 2013. The original budgeted amount for this project is \$19,461,078.00. - Approved*
14. Council is asked to approve Capital Improvement Project WM4138; An Agreement for Engineering Services for Design and Construction of the New Proposed Water Storage Tank located off Broomstraw Road in the Town of Chapin, as requested by Utilities and Engineering. Award to Chao & Associates, Inc., in the amount of \$318,117.41. This vendor is located in Columbia, SC. *Funding Source: Water Improvements Fund, 5516210-WM413801-636600 – **Note:** Sub-consultants will be utilized for this project in the following capacities: GS2 Engineering (Columbia, SC) will perform Geotechnical Engineering Services at 1.76% of the total contract value; Hazen and Sawyer, PC (Columbia, SC) will perform Hydraulic Modeling and Quality Assurance Reviews at 26.96% of the total contract value; Howard Engineering (Marietta, SC) will perform Electrical Engineering at 1.23% of the total contract value and Quinn Consulting Services (Spotsylvania, VA) will perform Coatings and Weldings Observations at 18.48% of the total contract value. The original budgeted amount was \$320,000.00. - Approved*

15. Council is asked to approve Capital Improvement Project WM3637; An Agreement for Engineering Services for Design and Construction of New 12” and 16” Water Mains for the Proposed Water Storage Tank located off Broomstraw Road in the Town of Chapin, as requested by Utilities and Engineering. Award to Chao & Associates, Inc., in the amount of \$412,255.00. This vendor is located in Columbia, SC. *Funding Source: Water Improvements Fund, 5516210-WM363701-63660 – **Note:** Sub-consultants will be utilized for this project in the following capacities: GS2 Engineering Services (Columbia, SC) will perform Geotechnical Engineering Services at 1.72% of the total contract value; Hazen and Sawyer, PC (Columbia, SC) will perform Hydraulic Modeling and Quality Assurance Reviews at 4.74% of the total contract value and Brown and Caldwell (Columbia, SC) will perform Wetlands Delineations and Permitting at 13.04% of the total contract value. The original budgeted amount was \$420,000.00. - Approved*

16. Council is asked to approve Capital Improvement Project SS7207; An Agreement for Engineering Services Required for a Sanitary Sewer Evaluation Study in the Saluda River Basin Sub-Basins 07 and 08, as requested by Utilities and Engineering. Award to CDM Smith, Inc., in the amount of \$715,900.00. This vendor is located in Columbia, SC. *Funding Source: Water Improvements Fund, 5516210-SS720701-636600 – **Note:** CDM Smith is a Mentor Protégé Firm and formally mentors Civil Engineering Consulting Services. Sub-consultants will be utilized for this project in the following capacities: Hydrostructures PA (Pittsboro, NC) will perform SSES Inspection and Flow Monitoring at 24.41% of the total contract value and Civil Engineering Consulting Services, Inc. (Columbia, SC) will perform Design Drawing and Construction Inspection at 4.21% of the total contract value. The original budgeted amount is \$700,000.00. - Approved*

ORDINANCES – SECOND READING

17. Ordinance No.: 2011-015 – Granting an encroachment to City Center Partnership, Inc. for Sidewalk Entertainers – *First reading approval was given on April 10, 2012. – Approved on second reading.*

18. Ordinance No.: 2012-027 – Authorizing the execution and delivery of an Amendment No.1 to the Installment Sale Agreement dated March 1, 2003 relating to the Financing and Construction of Public Infrastructure Connecting the Columbia Metropolitan Convention Center with Adjacent Facilities; and other matters relating thereto – *First reading approval was given on April 10, 2012. – Approved on second reading.*

MAP AMENDMENT – SECOND READING

19. **North Side of 2515 Park Street** , TMS# 9012-01-13 (portion); request to rezone from RS-3 (Single-Family Residential) to RG-2 (General Residential). – *First reading approval was given on April 10, 2012. – Approved on second reading.*
Council District: 1
Proposal: Rezone property from RS-3 to RG-2
Applicant: Wade Caughman, Agent
PC Recommendation: Approve, (6-0) 03/05/12
Staff Recommendation: Approve
20. **2515 Park Street**, TMS# 09109-16-08; request to rezone property from RS-3 (Single-Family Residential) to RG-2 (General Residential). – *First reading approval was given on April 10, 2012. – Approved on second reading.*
Council District: 1
Proposal: Rezone property from RS-3 to RG-2
Applicant: Wade Caughman, Agent
PC Recommendation: Approve, (6-0) 03/05/12
Staff Recommendation: Approve

TEXT AMENDMENTS – SECOND READING

21. **Amend §17-258 Table of Uses** and create new section to modify district permissions for elementary and secondary schools. – *First reading approval was given on April 10, 2012.*
Proposal: **Amend §17-258 Table of Uses** and create new section to modify district permissions for elementary and secondary schools.
Applicant: The Honorable Daniel J. Rickenmann
PC Recommendation: Approve (7-0) 03/05/12
Staff Recommendation: Approve

Ordinance No.: 2012-021 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 8, District Descriptions; Use and Dimensional Regulations, Sec. 17-258 Table of permitted uses, Division I, Services, SIC 82 Educational services, 821 Elementary and secondary schools, and to add Sec. 17-296 Elementary and secondary schools – *First reading approval was given on April 10, 2012. – Approved on second reading.*

MAP AMENDMENT – SECOND READING

22. **2100 Bull Street**, TMS# 11501-01-01; request to rezone from C-1 -DP to PUD-LS, -DP. – Bull Street Planned Unit Development - *Public Comments – First reading approval was given on March 27, 2012. – Consideration of this item was deferred.*
- | | |
|-----------------------|---|
| Council District: | 2 |
| Proposal: | Rezone property from C-1 -DP to PUD-LS, -DP |
| Applicant: | Hughes Development Corporation |
| PC Recommendation: | Approve conditioned upon staff comments, (6-0) 03/05/12 |
| Staff Recommendation: | Approve conditioned upon staff comments |

ORDINANCES – SECOND READING

23. Ordinance No.: 2011-039 – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina, Chapter 19, Solid Waste Management, Article II, Collection and Disposal, Sec. 19-41 Restrictions on collection (h) Bulk containers for commercial and industrial users – *First reading approval was given on December 20, 2011. - Consideration of this item was deferred.*

RESOLUTIONS

24. Resolution No.: R-2012-036 – Authorizing consumption of beer and wine at the 2012 Italian Festival - *Approved*

Upon a motion made by Mr. Rickenmann and seconded by Ms. Devine, Council voted unanimously to approve Resolution No.: R-2012-036 – Authorizing consumption of beer and wine at the 2012 Italian Festival.

25. Resolution No.: R-2011-071 – Establishing Residency Requirements - *Consideration of this item was deferred.*
26. Resolution No.: R-2012-029 – Approving Ethics Policy for City Employees and Public Officials - *Consideration of this item was deferred.*

Councilor Plaugh said that we were fortunate to have input from the following individuals with expertise in ethics: Ms. Bessie Watson; Ms. Cynthia Cooper of Blue Cross Blue Shield; Mr. John Crangle of Common Cause; Ms. Kathy Hazelwood of the State Ethics Commission; Mr. Al Nickles, City’s Labor Counsel; and Ms. Pamela Benjamin, City Human Resources Director. She explained that we have a revised and updated policy for city employees dealing with ethics. It is designed to implement a new culture within city government. There are three components: one for employees; one for public officials to include those appointed by City Council to serve on boards and commissions; and there’s an oath for elected officials. There will be annual training. A

quarterly report will be provided to City Council that addresses all of the ethics issues that have been reported. The report will outline the issue, how it was dealt with and when it was dealt with. No names will be provided. It will also provide an open door policy in terms of outlining the obligation to report unethical activities. It outlines the chain of command options for employees to include the Human Resources Director and then the City Manager. We hope to approve in the budget, an ability to have something on the website where people can anonymously file a complaint or a hotline where people can call in to make a report. I am not saying that the city has any of those issues. This gives us the opportunity to give citizens a way to communicate with us and work together. The Administrative Policy Committee worked very hard on this and I am thrilled to bring this forward for Council's consideration.

26a. **Resolution No.: R-2012-041 – Authorizing consumption of beer and wine at The Crawfish Festival - *Approved*

Upon a motion made by Mr. Rickenmann and seconded by Dr. Gergel, Council voted unanimously to approve Resolution No.: R-2012-041 – Authorizing consumption of beer and wine at The Crawfish Festival.

APPOINTMENTS

27. Board of Zoning Appeals

A motion made by Ms. Plough to appoint Mr. Richard Steele to the Board of Zoning Appeals, was not seconded.

Upon a motion made by Mayor Benjamin and seconded by Mr. Rickenmann, Council voted four (4) to two (2) to approve the appointment of Mr. Charles W. Salley to the Board of Zoning Appeals. Voting aye were Mr. Rickenmann, Ms. Devine, Mr. Davis and Mayor Benjamin. Voting nay were Ms. Plough and Dr. Gergel.

28. Columbia Housing Authority

Upon a motion made by Ms. Devine and seconded by Mr. Rickenmann, Council voted unanimously to approve the appointment of Mr. William Ponder to Seat 4 for a four (4) year term and Ms. Selena Pickens to Seat 5 for a five (5) year term on the Columbia Housing Authority Board of Commissioners.

Councilor Plough stated that there is no representative on the Housing Authority from District IV. I'm not sure that we always need to look at how many representatives are in each district. I think it's more important to get the best candidates so that the people are committed to participating in doing the right thing. Trying to balance the districts doesn't always work.

29. Columbia Museum of Art

Upon a motion made by Dr. Gergel and Ms. Plough, Council voted unanimously to approve the reappointment of Mr. Steve Morrison to a second and final five (5) year term on the Columbia Museum of Art Commission.

29a. **Planning Commission

Upon a motion made by Ms. Plough and seconded by Mayor Benjamin, Council voted unanimously to appoint Mr. Frank Cason to the Planning Commission for a three (3) year term.

CITY COUNCIL COMMITTEE REPORTS

30. Arts and Historic Preservation Committee

Councilor Gergel reported that the Arts and Historic Preservation Committee met on Tuesday, April 17, 2012. They discussed the hospitality tax. The Finance Director briefed the committee on resources available within that tax. We continue to look at how we prioritize funding. We will continue the discussion after the Hospitality Tax Advisory Committee meets. We also had a lengthy discussion on the busking ordinance. The City Attorney briefed us and residents shared their ideas. The City Attorney will continue to work on that ordinance. We were briefed about the many exciting activities taking place with the One Columbia group.

31. Economic and Community Development Committee

Councilor Davis reported that the Economic and Community Development Committee met on Tuesday, April 17, 2012. We covered the economic development toolkit approach, which is actually a self-assessment of the economic development areas. We agreed to include Richland County and hopefully Lexington County.

Councilor Devine explained that she attended an economic development conference with the National League of Cities and they have a product called the Economic Development Self-Assessment Tool (EDSAT) that is done by the Dukakis Center for Urban and Regional Policy. It is an opportunity to assess your weaknesses and strengths and economic development recruiting. We have collaboration with Richland County's Economic Development Director. We decided that the direction staff is going in as far as an economic development strategic plan will give us the self-assessment that we need. The Dukakis Center is in the northeast and they may not have the criteria that we want for a southern city of our size. We will allow staff to continue to move in the direction they are going in. Whatever Ms. Wilson recommends to us about the self-assessment through the consultant they are currently working with or by working with Clemson or the University of South Carolina would be the avenue we would go in. She recommended to Mr. Davis that the committee continue to discuss this matter after Ms. Wilson makes her presentation to Council next month.

Councilor Davis said that they are looking at the overall master plan. We are planting the seeds in a number of areas and making sure that we cover all bases. We also had a presentation from The Cooperative Ministries, looking at an approach for a model that includes the private sector and the public sector in possibly using a soon to be vacant Parks and Recreation Building. We hope to create a partnership to target people who have challenges that inhibit employment. We will continue to talk with them and they will be meeting with Mr. Baker, his staff and a consultant to assess the space needs. At some point we will consider their final proposal. We had another presentation similar to this one. Ms. Glenice Pearson is tied into a national constituency that is also looking at employment barriers for people who may be either underemployed or unemployed. They will look at the basic skills needed to be successful in the job application process and training. We didn't make any commitments. Richland County representatives were in attendance and we all agreed to review the model, suggestions and recommendations and determine if there will be funding commitments for a public/private partnership. Both approaches are to impact economic development and job creation.

****Councilor Plough said that we've put a lot of energy into small business and our local preference and I think it's time to step back and take a look at how that's working versus our Mentor Protégé Program. I would like to move that we ask the staff to look at the next five contracts that are over \$250,000. That they put them out in two different formats: one that would be a bid with the local business preference and the other that would be a bid with the Mentor Protégé Program. Council would then have the benefit of seeing how the two compare. I think we have been in these programs long enough that this is an opportunity for us to really see how we are addressing the needs of our small business. It's just asking the staff to do a dual track and bring it back to us.

Councilor Devine said that she's not sure if we ever looked at Mentor Protégé exclusive of local preference. I think they are both very important programs. I would not be in favor of doing away with the Mentor Protégé Program or not using that. It has to be clear that it's not an option. If staff is going to do this, I would like comments from Mr. Lee. His recommendations are finalized and he is working with staff to schedule the presentation. I want to make sure that we don't do anything that derails what we've been working for years, to move forward.

Ms. Teresa Wilson, Assistant City Manger said that they are in the process of finalizing a conference call with Mr. Lee in the next few weeks. We have been working through the recommendations as it relates to the Subcontractor Outreach Program, the Mentor Protégé Program and all of the Disparity Study recommendations and will bring that back to Council.

Ms. Missy Gentry, Assistant City Manger said that everything we bid has local preference, which means that if the local bidder is within 5%, local preference takes affect. That's on everything we buy. We will look at options and opportunities and talk with Mr. Lee in order to bring back a recommendation.

Mr. Steven A. Gantt, City Manger explained that Ms. Plaugh asked him if the Mentor Protégé Program add costs to construction projects or not?

Councilor Davis said that one goal is to give protégés the opportunity to team up with a mentor in order to develop skills. At some point you have to determine when the protégé has developed the capacity to step out on its own. They need the resources of a mentor when it comes to bonding requirements.

Mayor Benjamin said that Council will wait for Mr. Lee's report.

Councilor Rickenmann asked staff for guidelines on how to compare these programs. We are trying to push forward without understanding the constraints. To move forward like this is a massive mistake.

Councilor Gergel said that this Council is committed to do everything we can to encourage small businesses, minority owned businesses and women owned businesses to move forward. I would like to know what this program is costing us.

A motion made by Ms. Plaugh and seconded by Dr. Gergel to direct staff to bid the next five (5) projects that are over \$250,000 in two different formats: one that would be a bid with the local business preference and the other that would be a bid with the Mentor Protégé Program, was withdrawn.

Councilor Plaugh agreed to put her request in writing to staff. She noted that Mr. Lee's report has been delayed. Hopefully his recommendations will address these issues.

32. Finance, Audit and Budget Committee

Councilor Rickenmann said that the committee is diligently working on the budget. A meeting is scheduled for Tuesday, April 24, 2012 at 12:00 p.m. to continue the process. At 2:00 p.m. we will have a City Council Budget Workshop and it's open to the public. This year we have tied in our strategic plan. The Public Hearing is scheduled for June 5, 2012 at 6 p.m.

33. Public Safety Committee – *This item was deferred.*

**Mayor Benjamin asked that the following matters be discussed on Tuesday, May 8, 2012, unless other matters are determined to be necessary.

Work Session - 2:00 p.m.

- *Ethics Policy Review*
- *Update on Bull Street*
- *Executive Session*

Work Session - 5:00 p.m.

- Briefing from the City Attorney on the *consolidation of government services*
- Invite the League of Women Voters and others as deemed appropriate for a discussion on the *timing of elections* to include the consideration of odd or even numbered years

Council Meeting - 6:00 p.m.

- With the exception of major or contractual matters that must be considered, all other issues to include committee reports are to be held in abeyance. Invite the Municipal Association of South Carolina and others as deemed appropriate to speak to Council and the public to discuss the *forms of government*. The City Attorney will also make a presentation on the forms of government.
- This meeting is to be aggressively advertised and we should cast a wide net for public participation.
- There will also be an opportunity for Council discussion.

APPEARANCE OF THE PUBLIC

Representative Joseph Neal, South Carolina 70th District appeared before the members of Council to request favorable consideration of a funding request in the amount of \$25,000 in support of the Legislator Exchange Program, which exposes legislators from different countries around the world to our system of government and our economic system while introducing them to businesses in the area. A new delegation will be coming from Ghana on April 23, 2012.

There was a consensus of Council to request a breakdown of the funding request. Staff was asked to contact the World Affairs Council for assistance. The City Manager was asked to review the request and determine if the City is able to participate.

Ms. Emily Jones welcomed everyone to the Gills Creek Watershed, which covers 73 square miles of the city and county. She announced that Gills Creek is featured on the cover of Free Times this week as one of the city's treasures worth protecting. She provided a preview of a plan they are working on for the middle watershed area between Lake Katherine and Bluff Road. We have provisional funding for a grant. We are working with a committee to look at connectivity between the commercial corridor of this area, stream restoration and recreational opportunities. It would make a great dovetailing if you could proceed with the commercial corridor study. Redevelopment pressures in this area will be moving quickly and we don't want to lose any opportunities.

Mr. William Brandon Coomey, Vice President of Beezer's Gourmet Sandwich Shop at 919-B Sumter Street appeared before the members of Council to express concerns about the 803 Hookah Bar and Lounge located next door. He cited many incidents that have occurred over the last 90 days to include selling alcohol to minors and shootings. I felt compelled to hire a police officer in full uniform on Friday and Saturday nights. We've notified the landlord. We are working with the Hospitality Team. We erected a 6' privacy fence and we are in the process of installing an outside security camera.

Mr. Darryl Smalls, Esq., appeared on behalf of the 803 Hookah Bar to rebut Mr. Coomey's complaint. He said that the two business owners don't like each other. There are incidents that we are contesting. The owner has obtained the proper licenses and land use permits. He is constantly dealing with problems with his business neighbors. They opposed him having a liquor license. I have talked to the City police to make sure we sit down and discuss any issues with the Hookah Bar. I asked Officer Branham for reports dealing with the Hookah Bar and he sent me one report and he never agreed to sit down with me to discuss these issues. My client is willing to work with the other business owners, but that's not happening. We are getting a lot of conflict. There is one entrance with two separate places with two licenses and you cannot drink downstairs. He said that Mr. Arikan has in house and outside security. He reminded the Council of its goal to encourage competition and business in the City of Columbia.

Mr. Ziya Arikan, President of the 803 Hookah Bar said that his landlord told him that Mr. Coomey was coming here today. He is trying to rent my property and he has people call the police. We are in a peaceful environment. He insisted that Mr. Coomey refers to his customers as "thugs" and that he is a racist.

Mayor Benjamin asked Assistant Police Chief Wisner follow up on the concerns expressed based on his professional determination. We would be interested in following up on this.

Upon a motion made by Ms. Devine and seconded by Mr. Rickenmann, Council voted unanimously to adjourn the meeting at 9:24 p.m.

Respectfully submitted by:

Erika D. Moore
City Clerk